

REGULAR MEETING
BOROUGH COUNCIL
BOROUGH OF RUMSON
April 22, 2008

A regular meeting of the Borough Council of the Borough of Rumson was held in the Charles S. Callman Courtroom of the Memorial Borough Hall on April 22, 2008 and was called to order by Mayor John E. Ekdahl at 7:30 p.m.

Pledge of Allegiance.

Present: Mayor Ekdahl, Councilwoman DeVoe, Councilmen Broderick, Hemphill, Kammerer, Rubin and Shanley.

Absent: None.

Thomas S. Rogers, Municipal Clerk/Administrator, was present.

Martin M. Barger, Borough Attorney, was not present.

C. Bernard Blum, Jr., Borough Engineer, was present.

David Marks of T& M Associates was present.

The Mayor declared a quorum present and announced that the notice requirements of the Open Public Meetings Act had been met by the posting and mailing of a schedule of all regular and work meetings of the Borough Council for the year 2008 to the *Asbury Park Press* and the *Two River Times*.

On motion by Councilwoman DeVoe, seconded by Councilman Rubin, the minutes of the previous meeting were approved as written, copies having been forwarded to all Council members. All in favor.

COMMUNICATIONS:

LETTER FROM TOWER HILL SCHOOL REQUESTING PERMISSION TO HOLD THEIR ANNUAL END-OF-YEAR PICNICS AT VICTORY PARK ON FOUR MORNINGS, MONDAY, MAY 19TH THROUGH THURSDAY, MAY 22ND, FROM 9:00 TO 11:30 A.M. AND ON THURSDAY, MAY 22ND IN THE AFTERNOON FROM 12:30 TO 3:00 P.M. (RAIN DATES MAY 21ST THROUGH MAY 23RD):

The Municipal Clerk/Administrator advised of a letter dated April 9, 2008 from Susan deBrigard, Director of Tower Hill School, requesting permission to hold their annual end-of-the-year picnics at Victory Park on Monday, May 19th, Tuesday, May 20th, Wednesday, May 21st and Thursday, May 22nd from 9:00 a.m. to 11:30 a.m. and also from 12:30 p.m. to 3:00 p.m. on Thursday, May 22nd (rain dates Wednesday, Thursday and Friday, May 21st through May 23rd). There will be between 9 and 29 pre-school children at each gathering.

On motion by Councilwoman DeVoe, seconded by Councilman Shanley, this communication was ordered received and permission was granted for the Tower Hill School annual end-of-the-year picnics at Victory Park on the dates requested. All in favor.

CONSENT AGENDA:

LETTER FROM AQUA-TERRA ENVIRONMENTAL INC. ON BEHALF OF MR. AND MRS. JOHN KLEIN FOR PROPERTY LOCATED AT 98 WATERMAN AVENUE, ENCLOSING A COPY OF AN APPLICATION TO THE STATE D.E.P. FOR A WATERFRONT DEVELOPMENT PERMIT 19, TO LEGALIZE THE EXISTING WATERFRONT STRUCTURES:

The Municipal Clerk/Administrator advised of a letter dated April 2, 2008 from Aqua-Terra Environmental Inc. on behalf of Mr. and Mrs. John Klein, 98 Waterman Avenue. The letter advised of an application submitted to the New Jersey Department of Environmental Protection, Land Use

Regulation Program for a Waterfront Development Permit 19 to legalize the existing waterfront structures.

LETTER FROM NAJARIAN ASSOCIATES, INC. ON BEHALF OF KEVORK HOVNANIAN FOR PROPERTY LOCATED AT 25-27 WARD AVENUE, ENCLOSING A COPY OF AN APPLICATION TO THE STATE D.E.P. FOR A WATERFRONT DEVELOPMENT PERMIT 14 FOR THE REPLACEMENT OF A LEGALLY EXISTING, FUNCTIONAL BULKHEAD:

The Municipal Clerk/Administrator advised of a letter from Najarian Associates, Inc. on behalf of Kevork Hovnanian, 29 Ward Avenue. The letter advised of an application submitted to the New Jersey Department of Environmental Protection, Land Use Regulation Program for a Waterfront Development Permit 14 for the replacement of the legally existing, functional bulkhead.

LETTER FROM THE STATE D.E.P. IN RESPONSE TO THE ZANE LETTER REQUEST OF GERARD DZIALO FOR PROPERTY LOCATED AT 15 WARREN STREET ADVISING THAT THE REPLACEMENT OF A SINGLE MOORING ANCHOR AND ASSOCIATED MOORING BALL QUALIFY FOR EXEMPTION UNDER THE COASTAL PERMIT PROGRAM RULES:

The Municipal Clerk/Administrator advised of a letter from the State of New Jersey Department of Environmental Protection, Land Use Regulation Program in response to the request of Gerald Dzialo for property located at 15 Warren Street advising that the replacement of a single mooring anchor and associated mooring ball qualify for exemption under the Coastal Permit Program Rules.

LETTER FROM THE STATE D.E.P. ADVISING OF THE DENIAL OF THE CAFRA GENERAL PERMIT TO LEGALIZE EXISTING RIP-RAP REVETMENT FOR ETHEL KAPLAN FOR PROPERTY AT 6 EDWARDS POINT ROAD:

The Municipal Clerk/Administrator advised of a letter from the State of New Jersey Department of Environmental Protection, Land Use Regulation Program advising of the denial of the CAFRA General Permit of Ethel Kaplan to legalize the existing rip-rap revetment on property located at 6 Edwards Point Road.

On motion by Councilwoman DeVoe, seconded by Councilman Rubin, the above four communications on the Consent Agenda were ordered received. All in favor.

COMMITTEE REPORTS:

None.

UNFINISHED BUSINESS:

None.

NEW BUSINESS:

TEMPORARY EMERGENCY APPROPRIATION RESOLUTION:

Councilman Broderick offered the following resolution and moved its adoption:

RESOLUTION

WHEREAS, the temporary appropriations previously adopted will be inadequate to the point when the 2008 Budget will be finally adopted; and

WHEREAS, N.J.S.A. 40A:4-20 states that the Governing Body may, by resolution adopted by a 2/3 vote of full membership, make emergency temporary appropriations for any purposes for which appropriations may lawfully be made for the period between the beginning of the current fiscal year and the date of the adoption of the budget for said year;

BE IT RESOLVED by the Mayor and Council of the Borough of Rumson that the following emergency temporary appropriations, in addition to the temporary appropriations already adopted, be adopted, and it is stated that these emergency temporary appropriations shall be included in the 2008 Budget when adopted.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Borough Chief Financial Officer, and the Director of the Division of Local Government Services.

Legal – Other Expenses	\$ 2,000.00
Engineering – Other Expenses	\$ 5,000.00
Police Dispatch/911 – 911 Annual Contract	\$ 3,527.20
Board of Health –Contracted Services	\$ 8,923.00
Utility and Bulk Purchases – Electricity	\$ 6,000.00
Gasoline	\$ 5,200.00
Insurance – General Liability	\$121,653.00
Employee Group Health	\$120,000.00
Sewer Authority	\$399,114.00
Shared Service Agreement –	
Fair Haven Construction Salary and Wages	\$ 1,666.66
Total	\$673,083.86

Resolution seconded by Councilman Shanley and carried on the following roll call vote:

In the affirmative: Broderick, DeVoe, Hemphill, Kammerer, Rubin and Shanley.

In the negative: None.

Absent: None.

RESOLUTION TO APPOINT DIANE WEST AS SUBSTITUTE SCHOOL CROSSING GUARD:

Councilwoman DeVoe offered the following resolution and moved its adoption:

RESOLUTION

BE IT RESOLVED that the Borough Council of the Borough of Rumson hereby appoints Diane West, 8 Maplewood Avenue, as Substitute School Crossing Guard for the year 2008.

Resolution seconded by Councilman Broderick and carried on the following roll call vote:

In the affirmative: Broderick, DeVoe, Hemphill, Kammerer, Rubin and Shanley.

In the negative: None.

Absent: None.

RESOLUTION OPPOSING STATE SENATE BILL 1455 THAT CALLS FOR A REFERENDUM TO CONSOLIDATE THE MUNICIPAL TAX ASSESSOR, MUNICIPAL TAX COLLECTOR, MUNICIPAL HEALTH SERVICES AND MUNICIPAL ANIMAL CONTROL SERVICES AT THE COUNTY:

**BOROUGH OF RUMSON
RESOLUTION IN OPPOSITION TO
SENATE BILL 1455**

WHEREAS, Senate Bill 1455 calls for a referendum to consolidate the municipal tax assessor, municipal tax collector, municipal health services and municipal animal control services at the county; and

WHEREAS, Senate Bill 1455 does not give the municipality any option if the county voters cast a majority to consolidate; and

WHEREAS, consolidation would cause unnecessary hardship on citizens who rely on the municipal tax office for information and assistance, particularly the community’s senior citizens who depend on tax offices for assistance in completing tax freeze and rebate forms; and

WHEREAS, without proper study there is no proof that consolidation will save any public money; and

WHEREAS, Senate Bill 1455 calls for a master plan for the consolidation of the tax assessment and tax collection functions after enactment of the proposal thus failing to provide voters with a factual basis on which to make a decision on the referendum; and

WHEREAS, current state statutes place responsibility for tax assessment and tax collection under municipal jurisdiction; and

WHEREAS, it is the municipalities responsibility to collect all property taxes due and distribute same to the other taxing authorities as well as enforcing laws on delinquents; and

WHEREAS, current statutes provide for the reserve for uncollected taxes to be included in the municipal budget; and

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Borough of Rumson does hereby oppose the passage and enactment of Senate Bill 1455; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be sent to Senate President Richard Codey, Senator Ronald Rice, Chairman of the Community and Urban Affairs Committee and Senator Sean T. Kean representing this district as a sign of our opposition to this proposal.

Councilwoman DeVoe moved the above Resolution. Motion seconded by Councilman Rubin and carried on the following roll call vote:

In the affirmative: Broderick, DeVoe, Hemphill, Kammerer, Rubin and Shanley.

In the negative: None.

Absent: None.

CONSIDERATION OF BILLS AND CLAIMS (RESOLUTION):

Councilman Broderick offered the following resolution and moved its adoption:

\$	4,345.00	Monmouth Cty Treasurer
\$	29,540.80	Continental Fire & Safety Inc
\$	6,526.47	Dell Inc
\$	98,686.00	Lucas Construction Group Inc
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\$	139,098.27	Capital Account
\$	697.41	Action Office Supplies
\$	4,639.57	Allied Oil Company
\$	782.00	Americanwear Indust Uniforms
\$	203.36	AR Communications
\$	155.12	Asbury Park Press
\$	71.53	AT&T
\$	50.00	Autoglass Rx
\$	726.41	Avaya Inc
\$	50.00	Bayshore Fire & Safety
\$	800.00	Becker Tree Service
\$	1,013.55	Bob’s Uniform Shop
\$	17,932.00	Borough of Rumson Recreation
\$	63.00	Butches Auto Car Wash
\$	104.95	Comcast of Monmouth
\$	324.80	Continental Fire & Safety Inc
\$	2,126,386.48	Monmouth County Treasurer
\$	121,729.73	Monmouth County Treasurer (LIB)

\$	132,866.31	Monmouth County Treasurer (OS)
\$	1,626.12	Dell Inc
\$	70.06	Fair Haven Hardware
\$	70.66	FedEx
\$	138.78	Grainger
\$	49.79	Jane F Hartman
\$	35.77	Home Depot Commercial Credit
\$	4,748.99	JCP&L
\$	92.46	Johnny on the Spot
\$	44.46	John Guire Co
\$	150.10	Kepwell Natural Spring Water
\$	275.00	Kreg's
\$	2,423.61	KR Service Inc
\$	99.00	Lanigan Associates Inc
\$	264.95	Mayo Auto Service
\$	1,226.50	MGL Printing Solutions
\$	17,532.00	Mickey Benoit Inc
\$	11,985.53	Treasurer County of Monmouth
\$	200.00	Monmouth County Assessors Assoc
\$	69.00	Monmouth-Ocean TCTA
\$	416.39	Monmouth Telecom
\$	269.53	Naylor's Inc
\$	168.00	Nelson Press
\$	42.00	Neopost Inc
\$	150.00	New Jersey Motor Vehicle Comm
\$	304.70	NJ Natural Gas Co
\$	295.85	Norwood Auto Parts
\$	359.58	Postmaster
\$	5,030.00	Reusille Mausner Carotenuto
\$	126.75	Rosano Asphalt
\$	420.00	Roy Press Printers
\$	398.00	Rutgers The State University
\$	108.87	Sanitation Equipment Corp
\$	30.50	Seaboard Welding Supply Inc
\$	225.00	State Shorthand Reporting Serv
\$	325.00	Strategic Products and Service
\$	5,351.90	T & M Associates
\$	130.00	Treasurer State of NJ
\$	100.00	Treasurer State of NJ
\$	100.77	Trilex
\$	676.30	Verizon
\$	257.37	Verizon Wireless
\$	250.00	Visiting Nurse Assoc of Central Jersey
\$	90.00	Joseph Ward
\$	35.62	Mark Wellner
\$	3,890.59	Wolfblock LLP & Lon S Weiner
\$	150.63	ZEE Medical Inc
\$	399,147.00	Two Rivers Water Reclamation Auth
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\$	2,868,549.35	Current Fund
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\$	200.00	Robert Brummer
\$	3,789.00	Empacher
\$	110.00	Nelson Press
\$	916.93	Port Supply
\$	638.25	Rumson Buy Rite
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\$	5,654.18	Endowment Inc Account
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\$	100.00	Susan Abbot
\$	5,105.50	All State Fence
\$	10,859.61	Athlete's Alley
\$	222.76	Fair Haven Hardware
\$	473.07	John Hird
\$	550.00	NJ Jr Girls Lacrosse League
\$	943.67	Port Supply

\$	495.25	Sherwin-Williams Co
\$	25.00	US Lacrosse
\$	45.00	Lauren Walsh
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\$	18,819.86	Recreation Account
\$	22,457.52	Current Fund Appropriations
\$	2,846,091.83	Current Fund Appropriations
\$	139,098.27	Capital Fund Disbursements
\$	5,654.18	Endowment Disbursements
\$	18,819.86	Recreation Disbursements
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\$	3,032,121.66	Total Of All Funds

Resolution seconded by Councilman Hemphill and carried on the following roll call vote:

In the affirmative: Broderick, DeVoe, Hemphill, Kammerer, Rubin and Shanley.

In the negative: None.

Absent: None.

COMMENTS FROM THE COUNCIL:

The Mayor afforded the members of the Council an opportunity to be heard at this time and no one responded.

COMMENTS FROM THE PUBLIC:

The Mayor afforded the public an opportunity to be heard at this time and no one responded.

ADJOURNMENT:

On motion by Councilwoman DeVoe, seconded by Councilman Rubin, the meeting adjourned at 7:39 p.m. All in favor.

Respectfully submitted,

Thomas S. Rogers, R.M.C.
Municipal Clerk/Administrator